

Title: Office of the Court Administrator vs. Alberto V. Garong

Facts:

Respondent Alberto V. Garong, a Court Interpreter III at the Regional Trial Court (RTC) of Calapan City, Mindoro, Branch 40, was charged and subsequently found guilty of frustrated homicide by Branch 39 of the same court (Criminal Case No. C-3406). On March 3, 1993, Presiding Judge Marciano T. Virola sentenced Garong to four months of *arresto mayor* up to four years and two months of *prision correccional*, along with related accessory penalties.

Garong appealed the decision to the Court of Appeals, which affirmed the conviction on August 9, 1996. The decision became final on November 15, 1996, and an Entry of Judgment was made.

On May 24, 1999, Judge Tomas C. Leynes, the Executive Judge of RTC Calapan City, notified the Office of the Court Administrator (OCA) that Garong had evaded arrest and maintained his position without dismissal, thus continuing to receive his salary and benefits. Consequently, the OCA filed a formal administrative complaint against Garong on June 1, 1999, recommending his dismissal and forfeiture of benefits.

Garong filed a “Manifestation With Motion To Dismiss” on September 23, 1999, contesting the resolution and claiming procedural anomalies related to the notification of the appellate court’s decision. The Court of Appeals found validity in Garong’s claims of improper service, thereby voiding the entry of judgment and declaring the motion for reconsideration timely.

Issues:

1. Was the notification of judgment to Garong properly served?
2. Should administrative proceedings continue against Garong in light of the appeal process?
3. Does the failure of proper service impact the administrative allegations against Garong?

Court’s Decision:

1. The Court concurred with the Court of Appeals that the service of judgment upon Garong was flawed. The change of address notice was disregarded, making the service to an old address invalid. A valid service mandates reaching either the person himself or his duly authorized counsel. Hence, notice to Garong’s office or unauthorized third parties was not legally binding.
2. Given the procedural issues and pending appeal, the Supreme Court ruled that

administrative action should be put on hold until the criminal case's appeal was resolved. Highlighted was the judicial policy to prioritize substantive justice over procedural formalities, especially when personal liberty is threatened.

3. The procedural errors in notification highlighted the necessity of safeguarding Garong's right to due process. With the void judgment entry and pending appeal, continuing administrative proceedings without a conclusive determination on the criminal aspect would be premature and potentially unjust.

Doctrine:

The case emphasizes the importance of adhering strictly to procedural rules concerning service of judgment. Procedural errors can invalidate judgments if notice is improperly served, particularly when an incorrect address is utilized despite formal updates. It underlines the principle of substantial justice prevailing over procedural technicalities, especially in criminal cases where personal liberty is involved.

Class Notes:

- Proper service of notice is fundamental and must be made to the last known address or authorized counsel per procedural rules.
- Administrative cases intertwined with unresolved criminal matters should be deferred pending appeals to prevent miscarriage of justice.
- In procedural rules, substantial justice takes precedence; attempts should be made to rectify procedural missteps to prevent injustice.
- Key provision: Section 6, Rule 1, Rules of Civil Procedure mandates liberal construction of rules in service of justice.

Historical Background:

This case underscores the judiciary's commitment to due process and proper service of judicial decisions, playing a pivotal role in safeguarding the accused's right to appeal. Such cases reflect a judiciary cautious against potential miscarriages of justice due to procedural lapses, echoing broader judicial reforms aimed at enhancing fairness and equity in legal proceedings.